

Exhibit A

Hang Le

From: Diana Esquivel <Diana.Esquivel@doj.ca.gov>
Sent: Thursday, January 30, 2025 1:58 PM
To: Hang Le; Shannon Gustafson; Amy R. Margolies; Dale K. Galipo
Subject: RE: Puga/Botten Expert Disclosures
Attachments: Botten v. State of California -- Greg Meyer's Signed Rule 26 Report and 2 Exhibits 01-30-2025.pdf; L.C.-Puga v. CHP -- Greg Meyer's Signed Rule 26 Report and 2 Exhibits 01-30-2025.pdf

Importance: High

Good afternoon counsel,

I'm so sorry to keep harping on this issue, but my concern about expert disclosures is interrupting my focus on the MSJ that I need to finish and file today. While I will definitely endeavor to get the disclosures done today, I don't know if I'll be able to do so before midnight. As a sign of good faith, I am producing my expert's reports in both cases. I don't plan to disclose any other retained expert (excluding rebuttal experts that may be needed), and as far as identifying percipient expert witnesses, they will only be the medical personnel identified in discovery, such as the paramedics, the Botten's treating doctors/providers, pathologist Dr. Jong, Annabelle's MH providers, and Defendants and other officers to the extent their deposition testimony or expected trial testimony falls under FRE 702.

Based on my providing this information and reports, does anyone have any objection to my serving the State Defs' formal expert disclosures tomorrow? Let me know. Thanks.

-Diana

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From: Hang Le <hlee@galipolaw.com>
Sent: Wednesday, January 29, 2025 9:43 AM
To: Shannon Gustafson <sgustafson@lynberg.com>; Diana Esquivel <Diana.Esquivel@doj.ca.gov>; Amy R. Margolies <amargolies@lynberg.com>; Dale K. Galipo <dalekgalipo@yahoo.com>
Subject: RE: Puga/Botten Expert Disclosures

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Good morning,

Unfortunately, we would only be agreeable to extending the expert disclosures to Friday, January 31, if all parties are in agreement. Plaintiffs would be prejudiced in having to disclose their experts and related reports before CHP since CHP's police practices expert will most likely be in disagreement with Plaintiffs' police practices expert, and will be given an advantage in being able to rebut Plaintiffs' police practices experts opinions in his initial Rule 26 report if given the extra day.

We are agreeable that Mr. Meyer's deposition is applicable for both cases due to the cases being consolidated for discovery. I will get back to our availability for his deposition.

Best,
Hang

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From: Shannon Gustafson <sgustafson@lynberg.com>
Sent: Wednesday, January 29, 2025 8:53 AM
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Subject: RE: Puga/Botten Expert Disclosures

Diana,

Given this is a Scheduling Order date set by the Court, I don't believe we can extend the date without court approval so County Defendants will be serving their disclosures tomorrow.

However, County Defendants will agree that we are not prejudiced by the one day extension and will not challenge any experts designated by the CHP on such grounds. But I think that is all we can do under the rules.

We are agreeable under the consolidated discovery rule that the deposition of Mr. Meyer will be for both cases.

Amy will be handling that deposition so I will let her respond with her availability for same.

Thanks

Shannon L. Gustafson
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From: Diana Esquivel <Diana.Esquivel@doj.ca.gov>

Sent: Wednesday, January 29, 2025 3:26 AM

To: Shannon Gustafson <sgustafson@lynberg.com>; Amy R. Margolies <amargolies@lynberg.com>; Hang Le <hlee@galipolaw.com>; Dale K. Galipo <dalekgalipo@yahoo.com>

Subject: Puga/Botten Expert Disclosures

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Good morning folks,

I know we're all super busy with our respective MSJs. I'm also working on my trial docs in the *Lennox* case that's scheduled to start trial on 2/18 (also being handled by the Galipo office). I could really use a little more time to serve expert disclosures. Let me know if we can agree amongst ourselves to exchange expert disclosures on Friday, January 31, instead of Thursday.

I'll be designating Greg Meyer as my retained police-practices expert. Given that I'll be in trial during the last 2 weeks of February, I wanted to offer the following date on which Meyer is available for his deposition: Feb. 5-7 and 11-14. I'm assuming that we'll be doing one deposition of each expert for both cases.

In any event, let me know if you're agreeable to a one-day extension to serve disclosures and if any of the above dates are convenient to you for Meyer's deposition.

Thanks,

-Diana

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